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December 11, 2018

Hon. Leda Dunn Wettre  
United States Magistrate Judge  
District of New Jersey Newark  
MLK Jr. Federal Building & Courthouse  
50 Walnut Street  
Newark, NJ 07102

RE: Gervail v. Gonzales  
Case No. 2:17-cv-12179-SDW-LDW

Dear Judge Wettre:

I am in receipt of correspondence filed by Mr. Arenstein on behalf of his client, after hours on December 10, 2018, advancing in writing his position. We last appeared by telephone on November 13, 2018. As a result of that conference, your order required counsel confer and submit joint correspondence, in response to the Petitioner's verbal objections to the proposed filing of an application for summary disposition made by the Law Guardian. After our phone conference, the date of December 12, 2018 was ordered for submission of a joint letter.

It was further established in our phone conference that counsel for the Petitioning Father would submit his objections in writing, and the Law Guardian and Respondent's counsel would thereafter include their positions in response to those objections.

Between the filing of this Court's order, and December 10, 2018, nearly a month passed and counsel for the Petitioner did not provide his position in writing, nor did he attempt to contact the Law Guardian or Counsel for the Respondent, Ms. Lipari, before filing this correspondence. Ms. Lipari communicated with Petitioner's counsel, Mr. Arenstein, by email when no proposed position was forthcoming, who only informed her to expect the correspondence including his position to be circulated by today, December 11, 2018. I have been copied on an email by Mr. Arenstein indicating that he did not recall the requirement to submit a joint letter.

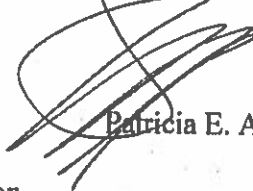
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In light of Mr. Arenstein's unilateral correspondence, I do not believe 24 hours will provide adequate time to do so by December 12<sup>th</sup> deadline, and would respectfully request that our time for response be briefly extended for one week requiring our response on or before December 19, 2018.

Respectfully,



Patricia E. Apy

PEA/

cc: Honorable Susan D. Wigenton  
Robert Arenstein, Esq.  
Richard Min, Esq.  
Kristi Lipari, Esq.

**So Ordered**

this 12<sup>th</sup> day of Dec-2018

  
**Leda D. Wettre, USMJ**